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SIPDIS

DEPT ALSO FOR DRL/IL LAUREN HOLT AND EUR/WE AND EAP/ANP  
DEPT OF LABOR FOR ILAB TINA MCCARTER

E.O. 12958: N/A

TAGS: [ELAB](#) [FR](#) [PGOV](#)

SUBJECT: UPDATE FOR WORST FORMS OF CHILD LABOR MANDATORY  
REPORTING REQUIREMENT

REF: STATE 143552

1. Per reftel para 10, post presents the following update to the annual Worst Forms of Child Labor report mandated by the Trade Development Act of 2000.

2. Post raised child labor issues with Gerald Delafosse, Legal Counselor at France's Overseas Ministry, which administers France's overseas territories. France's overseas territories, which include New Caledonia and French Polynesia, are the areas under French jurisdiction where economic and social conditions are such that child labor might be a problem. Mr. Delafosse shared our concerns about the worst forms of child labor, while noting that the Overseas Ministry kept no statistics on instances of child labor and had received no information on any instances that might be considered worst forms of child labor. Delafosse also noted that forced or bonded labor in all its forms (including slavery) has been outlawed in France for almost two hundred years. He said that legislation prohibiting child labor is enforced effectively in France through periodic checks by labor inspectors, who have the authority to take employers to court for noncompliance with the law. He underlined that free public schooling is provided in Metropolitan France and in its Overseas Departments (which are not the same as the Overseas Territories) through the age of 18 and that education is compulsory between the ages of 6 and 16.

3. French law prohibits the employment of minors under 16 years of age, with exceptions for those enrolled in certain apprenticeship programs or working in the entertainment and agricultural industries. Children aged 15 years in other industries may be granted an exemption in certain hardship cases by the competent government officials. Light work during the summer vacation period is allowed for children aged 14 and older, but is subject to the approval and inspection of local government officials. Work for children below the age of 14 is prohibited, except in certain hardship cases which must be approved by the competent government officials. This legislation on child labor applies to all French overseas departments and certain overseas territories including Saint-Pierre-et-Miquelon, Wallis and Futuna, and Mayotte. However, in Overseas Territories of French Polynesia and New Caledonia, child labor laws are the exclusive domain of the semiautonomous, territorial governments.

4. The government in New Caledonia was granted full authority over its labor laws on January 1, 2000. The government in French Polynesia assumed full authority for its labor laws on March 2, 2004. However, apart from minor differences in the labor code resulting from local conditions, the same legal strictures against child labor that apply in France also apply in France's overseas territories. In general, in France, as in its overseas territories, children may not be admitted to the work force, or to apprentice programs, until they have completed their "scholastic obligation" which ends at 16 years of age. In general, these laws are well enforced. Hofmann